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GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
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PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

January 12, 2000

Larry Gandy
Vice President
Gandy-Marley Corporation
1109 E. Broadway
Tatum, New Mexico

RE: Groundwater Monitoring Waiver Request

Dear Mr. Gandy:

The New Mexico Environment Department Hazardous and Radioactive Materials Bureau has reviewed Gandy-Marley Corporation's (GMC) *Groundwater Monitoring Waiver Request* for the proposed Triassic Park waste disposal facility. The Department has determined that the request meets the requirements of the regulations (20 NMAC 4.1.500) by conservatively demonstrating that there is no potential for migration of liquid from any of the proposed regulated units to the uppermost aquifer during the life of the units. Furthermore, GMC has committed to developing a vadose-zone monitoring system that will be protective of human health and the environment. The Department therefore agrees that groundwater characteristics in the Santa Rosa Sandstone aquifer below the proposed facility need not be monitored. GMC should proceed with incorporating an approved groundwater monitoring waiver in their final permit application. This agreement will be finalized through the vadose-zone monitoring requirements expected to be set forth in the permit. Please contact Steve Pullen at 827-1558 (ext.1020) should you have any questions.

Sincerely,

James P. Bearzi
Chief
Hazardous and Radioactive Materials Bureau

cc: Stephanie Kruse, NMED
David Neleigh, EPA R6